Supreme Court, U.S.
FILED

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OFFICE OF THE CLERK

No.

IN THE
SUPREME COURT of the UNITED STATES

October Term, 1997

Mary Olson, Petitioner

v.

Sun Bank/South Florida National Association
& Sun Bank/Miami National Association, Respondents

On Petition For Writ of Certiorari
To the 11th Circuit U.S. Federal Court of Appeals

PETITION FOR WRIT OF CERTIORARI

Mary S. Olson
Petitioner, Pro Se
460 Iona Lane
Roseville, MN 55113
(612) 484-9628
(612)616-7794

Question Presented for Review
Rule 14.1(a)

Introduction

Petitioner is a young, wealthy, attractive single female who has held a variety of positions in various companies, has an M.B.A. degree in finance. Petitioner at the time of this writing is unable to obtain a stable career position in any field, but particularly in career choice - banking. Petitioner has professional work (non-clerical or secretarial) experience in corporate bank lending.

1. Does federal civil rights law 42 U.S.C. Section 2000e-2 & 42 U.S.C. 1981 apply to females seeking professional positions with more 'line' responsibility in the banking field?

Parties to the Proceeding
In the U.S. Supreme Court

1. Parties to the Proceeding - see caption of the case-cover.

2. List of Parent Companies and nonwholly owned subsidiaries of Respondent (Rule 29.6) as of March 7, 1997:

    a. Parent Company - SunTrust Banks, Inc. - a public stock corporation, based in Atlanta,Georgia; stock symbol - STI

    b. SunTrust Banks Florida, Inc. is a100% owned subsidiary of SunTrust Banks, Inc., and is 100% owner of SunTrust Bank- South Florida National Association and 100% owner of SunTrust Bank-Miami National Association

    c. Parent Company SunTrust, Inc. has major stock ownership in Coca-Cola holding 48,266,496 shares at December 31, 1996 valued at $2.54 billion, although this would not be considered a subsidiary.

TABLE OF CONTENTS

	Page
Question Presented for Review.	i
Parties to the Proceeding	ii
Table of Contents	iii
Table of Cited Authorities	iv
Official Court Orders	1
Jurisdiction of the Supreme Court . . .	2
Constitutional Provisisions and Federal Statutes	2-3
Facts of the Case (I through V.)	3-7
I. Petitioner's Activities & Work Experience	3-4
II. Employment Efforts with SunTrust	4-5
III. Other Legal Actions	5-6
IV. Other Damages & Hardships	6
V. Basis for Federal Jurisdiction	6-7
Argument	7-9
Appendix	10-22
See official court orders pgs 10 - 17.	
EEOC Right to Sue Letter pgs 19-20.	
EEOC investigator file, list of lenders pg 21-22.	

Table of Cited Authorities

Cases Page

73-1817 - McDonnell Douglas Corp. v. Green . . pg 10,11
309 F. Supp. 362 (1970) Holt v. Sarver . . . pg 3
750 F.2d 867(11t Cir.1985), Miles v. M.N.C. Corp pg 10

Statutes & Provisions

42 U.S.C. Section 2000e2(a)(1)& pages i,2, 3
42 U.S.C. 1981(a)(b)('c)

U.S. Constitution Bill of Rights-1791 -
Amendments 7 ,8 ,4. 2-3,8-9,6

Other Authorities

Equal Employment Opportunity Commission, i ,2-3,6
(EEOC) See Laws Enforced by the U.S. Equal
Employment Opportunity Commission, a publication
handout of the EEOC

Citations of Official Court Orders, Olson v. SunBank

1. Case No. 94-7135 - CIV - Moreno, Order of Dismissal and Order Denying All Pending Motions as Moot. Plaintiff has leave to refile, if appropriate. Date of order- November 28, 1994. (Appendix - pg 10 & 11.)

2. Case No. 95-6100-CIV-Moreno, Order of Dismissal and Order Denying All Pending Motions as Moot dated April 12, 1995. Sent to plaintiff via facsimile by her attorney after retainer was signed on June 19, 1995. Plaintiff not notified by court. (Appendix - pg 12 & 13).

3. Case No. 94-7135-CIV-Moreno, Order Denying Plaintiff's Motion to Vacate Order of Dismissal, dated December 6, 1995. (Appendix - pg 14).

4. Case No. 96-4075, Appeal from the United States District Court for the Southern District of Florida. Before Birch, Dubina, and Carnes, Circuit Judges; Per Curiam, affirmed the district court's judgment on March 5, 1997. Opinion not published. (Appendix - pg 15).

5. Case No. 96-4075, Mandate for Appellant to pay for Appellee's Bill of Costs, filed with the clerk on March 19, 1997. Letter to appellant from clerk's office on June 17, 1997, stating mandate recalled by court, as it was erroneously issued by the court. (Appendix - pg 16).

6. Case No. 96-4075, On Petition for Rehearing and Suggestion of Rehearing En Banc, before; Birch, Dubina, and Carnes, Circuit Judges. Per Curiam: Suggestion denied, entered by the clerk on July 24, 1997. (Appendix - pg 17).

7. Letter from Supreme Court's office of the clerk dated September 10, 1997 extending the time to and including November 12, 1997 to file a petition for writ of certiorari, since petitioner was on vacation most of September overseas. (Appendix - pg 18).

Jurisdiction of the Supreme Court

Olson v. SunBank is a federal question, as it tests United States Code 42-2000e-2 (a)(1), Unlawful Employment Practices. Specifically, this federal statute states:

> 'It shall be an unlawful employment practice for an employer - 1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin...'

This case is properly in the federal court system. Jurisdiction is conferred on the Supreme Court by Supreme Court Rule 13, 'Review on Certiorari: Time for Petitioning.' Rule 13 says that a writ of certiorari to review a judgment in a...civil case brought to the U.S. Court of Appeals is timely when it is filed with the clerk of the court 90 days after entry of judgment. For this case, denial by the 11th Circuit U.S. Appeals Court for a rehearing En Banc was entered by the clerk on July 24, 1997. The 90 day deadline would be October 22, 1997. Petitioner was granted extra time up to and including November 12, 1997 by the clerk of the Supreme Court.

Constitutional Provisions and Applicable Statutes

The Bill of Rights of the United States Constitution, established in 1791, set forth 12 amendments to the constitution that protects individual liberties to all American citizens. Amendment 7 reads,'In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of common law.'

Amendment 8 may apply to this case indirectly on why petitioner is rejected, because severe mental harm and distress was inflicted on petitioner while employed by another banking concern and while obtaining her M.B.A. degree. Petitioner has continuing discrimination. This was prior to her application and

interview for a position at Sun Bank South Florida and Miami offices.

Amendment 8 provides: 'Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.'Generally speaking, a punishment that amounts to torture, or that is grossly excessive in proportion to the offense for which it is imposed...The term cannot be defined with specificity. It is flexible and tends to broaden as society tends to pay more regard to human decency and dignity and becomes...more humane.309 F. Supp. 362, Holt v. Sarver.

Federal Statutes on civil rights related to employment of women in the workplace apply, specifically U.S.C. section 2000e-2(a)(1) - (see Jurisdiction of the Supreme Court, previous page). 2000e-2(a)(2) also states;

> 'It shall be an unlawful employment practice for an employer to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's ... sex... .

The Civil Rights Act of 1991 has additional rights and remedies for actions brought by the complaining party under U.S.C. section 42 -1981 note. Specifically, this addition to the law allows the complaining party a right of recovery of compensatory and punitive damages against a respondent who has engaged in unlawful intentional discrimination. See section (a)- Right of Recovery, (b) Compensatory & Punitive Damages and ('c) Jury Trial.

Facts of the Case

I. Petitioner's Activities and Work Experience

Petitioner is a young, healthy, attractive, single, wealthy, M.B.A. degreed female. She is currently employed, although currently has to take odd jobs that are currently available at various local companies, and at a lower rate than her male

I. Petitioner's Activities and Work Experience, continued

peers. She is currently based in her hometown of Minneapolis, Minnesota. Her activities include club activities at the Minneapolis Athletic Club, where she plays squash and partakes in business roundtables. She is also active in alumnae activities president. Petitioner also golfs, snow skis, plays tennis, and jogs.

Petitioner was formerly employed at TCF Bank, a savings bank corporation engaged in banking activities that include corporate banking, from 1982-1987. Petitioner gained most of her banking experience here. Petitioner in 1987 filed a complaint with the Minneapolis Civil Rights department of sex discrimination at the suggestion of an attorney, and the department also notified the EEOC. This action did not commence with a lawsuit. Applicable work experience at TCF included corporate loan review, collateral anaylsis, credit analysis, and customer prospecting/calling. Petitioner was not given a banking officer title, and was not given an adequate job description, as most professionals in corporate banking are given. The job description had been cut down to hold her wages down. Petitioner was unable to obtain a professional position in the Minneapolis area in either banking or investment securities after working for TCF.

Petitioner continued with her education, and received her M.B.A. degree from the University of Minnesota in 1988 while working part time in a retail store.

Petitioner worked at FMC Corporation - Naval Ordinance division located in Minneapolis, Minnesota as a Pricing Analyst from 1988-1990. Petitioner moved to Florida a few months after she was laid-off from FMC at the end of 1990. Petitioner made repeated attempts at becoming employed in the banking industry again, while in Florida, that included interviewing with recruiters, responding to employment advertisements, and completing employment applications.

II. Employment Efforts with SunTrust's Corporate lending area

Petitioner responded to an advertisement in the Sun-Sentinel, a local south Florida publication, for a Credit Analyst in unTrust's middle-market corporate lending area. She personally handed a resume to Sun Trust at a Fort Lauderdale office during February 1992. Petitioner was interviewed for the position during July 1992. Petitioner did not become employed at Sun Trust, and she was told that position was relocated to a Palm Beach branch office and filled internally, in spite of the fact that this individual would be working closely with lenders located in Fort Lauderdale.

Petitioner also applied for a Commercial Lending Officer position at SunTrust's Wilton Manors office, was not interviewed, and was told later that a man had been hired into the position.

Petitioner reported these incidents to the Broward County Human Relations department during May 1993, and a final attempt at negotiating with SunTrust, without use of the courts, was made. John Craig, an officer of Human Resources at SunTrust's Fort Lauderdale office, said that only part time teller positions were available.

Petitioner proceeded to pursue legal actions to gain employment at SunTrust or elsewhere in the banking industry by processing an EEOC civil rights case against SunTrust.

III. Other Legal Actions

1.Petitioner was part of a female plaintiff class in an FMC discrimination case that settled during 1990. Petitioner herself received a very minor settlement because she was there for only two years and was not a major plaintiff. Capellupo et al v. FMC Corp. No. 4-85-1239, 8th Ct U.S.D.,Mn, 4th Div.

Facts of the Case, continued

III. Other Legal Actions, continued

2. Petitioner was forced to file a Chapter 7 bankruptcy case that was heard in Palm Beach County during June 1992. This bankruptcy happened because of lack of professional job opportunities.

3. After complaining to Broward County's Human Relations department, petitioner was evicted from her apartment after attempting to negotiate deposit portion of her lease while unemployed. Petitioner camped in a tent for a short time and attempted to get legal help with a Broward County attorney. Petitioner moved back to Minneapolis to live with parents during summer 1993.

4. Petitioner filed lawsuit against apartment owner for missing valuables in the eviction. Case was dismissed, appealed and dismissed. Petitioner has not presently pursued this case further.

5. Petitioner filed lawsuit against moving and storage company for auctioning of household items in spite of overpayment, which is a breach of contract. Case 97-03085 was recently dismissed by the 4th district Florida court of appeals. Petitioner plans to appeal this case to Florida Supreme Court based on violation of 4th Amendment U.S.C. - property seizure.

IV. Other Damages and Hardships

The previous section highlights some of the major inconveniences and undue hardship that have occurred as a result of petitioner's lack of opportunity and loss of opportunity in the workplace. Other damages include - marital discord, as marraige as an opportunity for the petitioner has been greatly reduced. Emotional stress as a result of some of the actions has caused lack of sleep and anger problems. Living with parents as a fully competent adult is an inconvenient living arrangement that causes problems with employment opportunity and personal life.

Facts of the Case, continued

IV. Other Damages and Hardships, continued

V. Basis for Federal Jurisdiction

Use of civil rights employment law requires a complaint to be filed with the federal district court system along with an endorsement from the EEOC, which would be their 'Right toSue Letter' (see Appendix pg 19-20). Since the complaint centers on incidents occurring with SunTrust's Fort Lauderdale and Miami locations, the federal courts of the Southern district of Florida have been used. Petitioner received a Right to Sue letter from the EEOC via certified mail during September 1994. Petitioner filed a complaint within the 90 day period after date of Right to Sue letter as required by law to preserve her rights under federal civil rights law.

Petitioner declares that the above facts are true and correct to the best of her knowledge.

Argument

Corporate lending is a strong profit making banking activity that requires more complex business skill than many other banking positions. Women are not sought for these positions, even when they possess the qualifying skills.

A top management position in any major company is still always filled by men, with very few exceptions. A corporate banking position is sometimes an excellent position that leads to further promotions in the banking field, because of its line (profit making) quality. Petitioner understands that top management positions in the business world are protected from possible female candidates by discouraging females early in their careers from any position where an argument on female qualifications for a top management role would eventually happen, if successful in such a strong, profit making professional position.

Argument, continued

Whether or not petitioner qualifies for a top management position is not what is argued here. Petitioner is an excellent candidate for a career in the corporate banking field or similar field, but there are still barriers to entry for females into a basic professional role because of the high salaries that occur there also. In the banking field as in other business fields, high salaries for women are in general denied because that produces a more powerful individual, and women as a class are generally denied power and authority in the business world.

A corporate banking career demands that the individual be competent in accounting, finance,with good selling and negotiating ability. Strong knowledge on what makes businesses successful and unsuccessful are also wanted. A prestigious individual with prominent status in the business community would be more successful, since looking for new customers is also wanted. Petitioner believes that she has these inherent qualities, but because she is female, is denied access (See facts of case, previous section - I.Petitioner Activities and Work experience.)

Barriers to female employment in corporate banking cause problems for those females that qualify for these stronger roles because the companies have to hide this female qualification problem somehow and find reasons, or create reasons for why they are not qualified. Those women who have corporate banking experience do not have the staying power that their male counterparts have, and are more likely to be promoted or demoted into a different area of the company.This may have negative ramifications for salary levels.(Olson v. SunTrust, EEOC investigation - Appendix pg 21-22).

Bank management strategy for selection of corporate banking candidates can be to put a damper on any quality that the female candidate possesses that may cause line promotions to happen - and also to go out of their way to cause problems with their career and personal life. Some of these tactics may be considered cruel and unusual punishment, according to Amendment 8 of the U.S. constitutional bill of rights. Petitioner understands that the banking industry has deliberately discredited her and has put pressure on her career stability and

personal life. She also understands that the facts and hardships in her employment case can and should be remedied by use of federal civil rights law.

Therefore, petitioner summarizes that the facts on petitioner's discrimination in employment, and the resulting hardships that she has been made to endure, require a financial award to restore the individual to her proper place in society. Petitioner has acted and reacted very conservatively with these legal issues, and prays that the court will examine this case under these circumstances. Petitioner hopes that this argument has highlighted adequately that she has continuing discrimination in the banking field. Therefore, petitioner is asking the Supreme Court to please reverse the U.S. Federal Appeals Court decision that had affirmed the federal district court's dismissal, and allow petitioner the right to argue these points in court, as provided by Amendment 7 to the bill of rights of the U.S. constitution. Petitioner hopes to work freely in the banking industry as a corporate lender or similar role with proper compensation for the position itself, and to collect compensation for the hardship damages that were created by an industry that is inherently discriminatory.

Respectfully Submitted,

Mary L. Olson

Patricia K. Schmitt

11-6-97

Appendix

Mary Olson, Case No. 94-7135-CIV-Moreno

Plaintiff,

v.

SUN BANK,

Defendant.

_____/

ORDER OF DISMISSAL

AND ORDER DENYING ALL PENDING MOTIONS AS MOOT

THIS MATTER is before the Court sua sponte review of the record. It is

ADJUDGED that this action is DISMISSED without prejudice for failure to state a cause of action for which relief can be granted. Under Title VII there are two means by which a plaintiff can prove discrimination. First, a plaintiff can prove discrimination by direct evidence. Where there is direct evidence that the defendat acted with a discriminatory motive, and it is accepted by the trier of fact, the ultimate issue of discrimination is proven. Miles v. M.N.C. Corporation, 750 F.2d 867 (11th Cir. 1985). The employer can then only rebut by proving by a preponderance of the evidence that the same decision would have been reached even absent the presence of the discriminatory motive.

The second means by which a plaintiff can prove discrimination is by indirect evidence. Where direct evidence is lacking, the McDonnell Douglas method of proving discrimination is required. Under McDonnell Douglas, the plaintiff has the initial burden of establishing a prima facie case

of employment discrimination. The plaintiff does so by showing by a preponderance of the evidence:

(i) that plaintiff belongs to the suspect class; (ii) that plaintiff was qualified for the job that she did not receive; (iii) that despite plaintiff's qualifications, the plaintiff was not hired; and (iv) that the plaintiff's position was filled by someone of the non-suspect class. McDonnell Douglas Corporation v. Green, 93 S. Ct. 1817, 411 U.S. 792, 36 L.Ed.2d. 668 (1973). If the plaintiff establishes a prima facie case the burden then shifts to the employer to articulate some legitimate, non-discriminatory reason for the plaintiff's failure to be hired.

In the instant case, Plaintiff has failed to plead sufficient facts under either the direct or indirect approach to state a cause of action under Title VII. It is also

ADJUDGED that all pending motions in this case are DENIED as MOOT with leave to refile if appropriate.

DONE AND ORDERED in Chambers at Miami, Florida, this 28th day of November, 1994.

Federico A. Moreno, United States District Judge

Olson,

Plaintiff,

vs.

Sun Bank/South Florida National Association &

Sun Bank/Miami National Association,

Defendants.

ORDER OF DISMISSAL

AND ORDER DENYING ALL PENDING MOTIONS AS MOOT

THIS MATTER is before the Court sua sponte review of the record. It is

ADJUDGED that this action is DISMISSED without prejudice for failure to state a cause of action for which relief can be granted. This court previously dismissed this matter, without prejudice, in case No. 94-7135-CIV-MORENO. In the order dismissing the case, dated November 28, 1994, the Court indicated the means by which a Plaintiff can prove discrimination under Title VII. Plaintiff indicates in her most recent complaint that she is attempting to prove discrimination via indirect evidence under the McDonnell Douglas approach. See McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973).

Under McDonnell Douglas, the plaintiff proves discrimination under Title VII by showing by a preponderance of the evidence: i.) that plaintiff belongs to the suspect class; (ii) that plaintiff was qualified for the job that she did not receive; (iii) that despite plaintiff's qualifications, the plaintiff was not hired; and (iv) that the plaintiff's position was filled by someone of the non-suspect class. Plaintiff's complaint meets the first

requirement under McDonnell Douglas. Plaintiff's complaint additionally sets forth her alleged qualifications for employment.

This Court cannot at this time determine whether these are sufficient qualifications for the jobs which Plaintiff sought.

Thus, the Court does not reach the issue whether Plaintiff's complaint meets the second and third requirements under McDonnell Douglas. Most important, however, is the fact that Plaintiff's complaint is wholly devoid of allegations that the positions sought by Plaintiff were filled by someone of the non-suspect class, here a male. The only allegations made whatsoever are that the Credit Analyst and Commercial Loan Officer positions in both Miami and Fort Lauderdale "are primarily filled by male candidates." This is insufficient to state a cause of action under Title VII. Therefore, this case is dismissed without prejudice to refile. It is also

ADJUDGED that all pending motions in this case are DENIED as MOOT with leave to refile if appropriate.

DONE AND ORDERED in Chambers at Miami, Florida, this 12th day of April, 1995.

Federico A. Moreno, United States District Judge

Case No. 94-7135-CIV-Moreno

Mary Olson,

Plaintiff,

vs.

Sun Bank,

Defendant.

_____/

ORDER DENYING PLAINTIFF'S MOTION TO VACATE ORDER OF DISMISSAL

THIS CAUSE came before the Court upon Plaintiff's Motion to Vacate Order of Dismissal (docket no. 3), filed on November 27, 1995.

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that Plaintiff's Motion to Vacate Order of Dismissal is DENIED.

DONE AND ORDERED in Chambers at Miami, Florida, this 5th day of December, 1995.

Federico A. Moreno, United States District Judge

copies provided:

Stewart L. Karlin, Esq.

Barry Mandelkorn, Esq.

United States Court of Appeals

for the 11th Circuit

No. 96-4075
Non-argument Calendar
D.C. Docket No. 94-7135-CIV

Mary Olson, Plaintiff-Appellant,

v.

Sun Bank, Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Florida.

Before BIRCH, DUBINA, and CARNES, Circuit Judges.

JUDGEMENT

This cause came to be heard on the transcript of the record from the United States District Court for the Southern District of Florida, and was taken under submission by the Court upon the record and briefs on file, pursuant to Eleventh Circuit Rule 34-3;

UPON CONSIDERATION WHEREOF, it is now hereby ordered and adjudged by this Court that the judgment of the said District Court in this cause be and the same is hereby AFFIRMED;

It is further ordered that plaintiff-appellant pay defendant-appellee the costs on appeal to be taxed by the Clerk of this Court.

Entered: March 5, 1997

For the Court: Miguel J. Cortes, Clerk ; Issued as Mandate: 4/14/97

United States Court of Appeals

11th Circuit

June 17, 1997

Mary S. Olson
460 Iona Lane
Roseville, MN 55113

RE: 96-4075/Olson v. Sun Bank

This court is returning unfiled your motion to recall mandate and motion to file en banc suggestion out of time. They were requested in error.

The mandate has been recalled by this court as it was erroneously issued by this court. Your motion for extension of time has been granted and your suggestion of rehearing en banc has been forwarded to the court.

Thank you for your attention to this matter.

Sincerely,

Miguel J. Cortez, Clerk

By: Karen Turner/jsh
Deputy Clerk (404)331-6147

In the United States Court of Appeals

For the Eleventh Circuit

No. 96-4075

Mary Olson, Plaintiff-Appellant

v.

Sun Bank, Defendant-Appellee.

On Appeal from the United States District Court for the Southern District of Florida

ON PETITION(S) FOR REHEARING AND SUGGESTION(S) OF REHEARING EN BANC

Before: BIRCH, DUBINA, and CARNES, Circuit Judges.

PER CURIAM:

The Petition for Rehearing are DENIED and no member of this panel nor other Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc (Rule 35, Federal Rules of Appellate Procedure; Eleventh Circuit Rule 35-5), the Suggestion of Rehearing En Banc are DENIED.

ENTERED FOR THE COURT:

Joel F. Dubina

United States Circuit Judge

SUPREME COURT OF THE UNITED STATES

OFFICE OF THE CLERK

WASHINGTON, D.C. 20543-0001

September 10, 1997

Mr. Mary Olson
460 Iona Lane
Roseville, MN 55113

Re: Mary Olson
v. Sun Bank
Application No. A-201

Dear Mr. Olson:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case has been presented to Justice Kennedy, who on September 10, 1997, extended the time to and including November 12, 1997.

This letter has been sent to those designated on the attached notification list.

Sincerely,

WILLIAM K. SUTER, Clerk

By

Sandra Elliott Spagnole
Assistant Clerk

U.S. Equal Employment Opportunity Commission
Miami District Office

EEOC Charge No: 15A930137
FEPA Charge No: EM-390-4-93

Ms. Mary Olson
460 Iona Lane
Roseville, MN 55113

Sun Bank
501 E. Las Olas Blvd.
Fort Lauderdale,, Fl 33301

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue on behalf of the Commission, the following determination as to the merits of the subject charge.

Respondent is an employer within the meaning of Title VII ad the timeliness, deferral and all other jurisdictional requirements have been met. Substantial weight has been accorded to the findings of the Fair Employment Practices Agency.

Having examined the findings and the record presented, I conclude that the evidence obtained during the investigation does not establish a violation of the statute.

This determination concludes EEOC's processing of the subject charge. As the charge alleged a Title VII violation, this is notice that if the Charging Party wishes to pursue this matter further, she may do so by filing a private action in the U.S. District Court against the Respondent(s) within 90 days of receipt of this Determination. Once this 90-day period is over, the right to sue will be lost. Filing this notice is not sufficient. A court complaint must contain a short statement of the facts of this case which shows that the aggrieved party is entitled to relief.

The lawsuit must be filed in the U.S. District Court. Generally, suits are brought in the State where the alleged unlawful practice

occurred, but in some cases it can be brought where relevant employment records are kept, where the employment would have been or where the respondent has its main office.

If the party cannot afford or is unable to obtain a lawyer to represent her, the U.S. District Court having jurisdiction in the case may, at its discretion, assist the party in obtaining a lawyer. If she plans to ask the U.S. District Court to help find a lawyer, she must make this request of the court in the form and manner it requires. The request to the U.S. District Court should be made well before the end of the time period mentioned above. A request for representation does not relieve the party of the obligation to file a lawsuit within this 90 day period.

Contact the EEOC if there are any questions about legal rights, including advice on which U.S. District Court can hear the case, or if it is necessary to inspect and copy information contained in the case file.

If suit is filed, send a copy of the court complaint to the offices where the charge was filed within 10 days after filing. The file will then be.preserved. Generally, EEOC's rules call for this charge file to be destroyed one year from now unless EEOC is notified that suit has been filed in U.S.District Court.

September 6, 1994

On Behalf of the Commission:

Thelma Taylor, for
Federico Costales
District Director

FC:JMC:lrb:S&L
T-7: 4b(1) (2) : M3:SWR
cc: Ms. Hilda Franco
Personnel
Sun Bank
501 E. Las Olas Blvd.
Fort Lauderdale, FL 33301

List of Corporate Lenders from Hilda Franco, Sun Bank/South Florida, N.A. to Stuart Pinnock - Broward County H.R. Division dated August 25, 1993

Margaret E. D'Angelo Hired 5/6/74 by Century National Bank into Credit Dept. Worked her way up thru the ranks of Assistant Cashier, Installment Loan Officer, Commercial Loan Officer and was promote to a Corporate Commercial Loan Officer position in June, 1983.

Sandra Tozzie Hired 11/27/78 by Flagship National Bank which later became SunBank/Miami via merger. She held the positions of Senior Corporate Trust Officer, and Community Commercial Lender until July 1, 1986 when she was hired by SunBank/South Florida as a Corporate Commercial Loan Officer.

Debra Vogel Hired July 13, 1987 by SunBank/South Florida into the position of Corporate Commercial Loan Officer. Her current title of Private Banking Officer was a promotion in 1991, and her responsibilities include calling on Corporate & Professional Executives.

Janet Anderson Hired July 27, 1992 into the position of Corporate Banking Rep. This position is considered a junior corporate lending position.

Paul Berryman Hired 2/23/87 into Corporate Banking Manager position. Previous Bank experience including Corporate since 1983.

Michael Viola - Hired 12/1/92 into Corporate Loan Officer position. Previous corporate bank experience with CITIBANK.

Steve Mayer - Hired 1/29/90 into Corporate Loan Officer position. Previous corporate bank experience since 1984.

Bentley Utt - Hired 3/9/87 into Corporate Loan Officer position. Previous corporate bank experience with Southeast since 1982.

Dorman Parrish - Hired 5/7/90 into Corporate Loan Officer position. Previous corporate bank experience since1984, Chase Manhattan Bank.

Clark Cawthon - Hired 4/1/92 into Corporate Loan Officer position. Previous corporate bank experience since 1978.